

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FOR ONLINE PUBLICATION ONLY

ROSEMARY CHINYE OKOLIE TORIOLA,
Plaintiff,

- versus -

BLACK UNITED FUND OF NEW YORK;
THE CITY OF NEW YORK; NYC
DEPARTMENT OF HOUSING
PRESERVATION AND DEVELOPMENT;
NHS COMMUNITY DEVELOPMENT
CORPORATION; WILLIAM C. KELSEY;
TITUS TORIOLA; EAST NEW YORK
HOMES, INC.; and DREW LONTOS;

Defendants.

MEMORANDUM
AND ORDER

15-CV-2325 (JG)(JO)

JOHN GLEESON, United States District Judge:

On April 21, 2015, plaintiff Rosemary Chinye Okolie Toriola filed this *pro se* action alleging race discrimination in housing, in violation of the Fair Housing Act. By Order dated July 24, 2015, I granted Toriola's request to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a) and directed Toriola to file an amended complaint within 30 days in order to proceed with this action. *See* ECF No. 4.

On August 5, 2015, the Order sent to the address provided by Toriola was returned to the Court marked "Return to Sender - Attempted - Not Known - Unable to Forward." *See* ECF No. 5. To date, Toriola has not provided the Court with a new address or otherwise contacted the Court. It is Toriola's obligation to notify the Court of a change of address. *See Gonzalez v. Walker*, No. 10-CV-2896 (JBW)(LB), 2011 WL 534358, at *1 (E.D.N.Y. Jan. 6,

2011). This rule applies to *pro se* parties, as well as represented parties. *See id.* A *pro se* litigant's failure to provide the Court with notice of a change of address warrants dismissal without prejudice. *Id.* at *1-2; *see also Burney v. Rivera*, No. 12-CV-4962 (NGG)(LB), 2014 WL 2123087 (SAS), at *2 (E.D.N.Y. May 21, 2014) (citing cases); *Dong v. United States*, No. 02-CV-7751, 2004 WL 385117, at *3 (S.D.N.Y. Mar. 2, 2004) (holding "no remedy other than dismissal makes sense" when the Court is unable to reach the plaintiff).

Accordingly, since Toriola has failed to keep the Court apprised of her current address and the Court has no way of contacting her, this action is dismissed without prejudice. I certify pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962). The Clerk is respectfully directed to close this case.

So ordered.

John Gleeson, U.S.D.J.

Dated: Brooklyn, New York
September 21, 2015